

#### **4 VAC15-20-240 (NEW). Definitions and Miscellaneous: In General: Use of drones for certain activities prohibited**

##### **Summary:**

The proposal is to prohibit the use of unmanned aerial vehicles, commonly referred to as drones, for the purposes of hunting.

##### **Proposed language of amendment:**

#### **4 VAC15-20-240 (NEW). Use of drones for certain activities prohibited.**

Except as authorized by the Director or his designee, it shall be unlawful at any time for any person to:

A. Use a drone or other unmanned aircraft to hunt, take, or kill a wild animal, or to use a drone or other unmanned aircraft to drive or herd any wild animal for the purposes of hunting, trapping, or killing.

B. Use a drone or other unmanned aircraft to attempt to locate, surveil, aid, or assist in the hunting of any wild animal.

C. Use a drone or other unmanned aircraft to harass any wild animal. For the purposes of this regulation, "harass" is defined as any action that creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding, or sheltering.

D. Use a drone or other unmanned aircraft on Department-owned lands, except that Department employees and contractors or agents acting on behalf of the Department may use drones or other unmanned aircraft when addressing human safety, law enforcement, management, or other needs approved by the Department.

E. No part of this regulation shall be construed to restrict the use of drones or other unmanned aircraft for wildlife management activities conducted or authorized by the department; or by U.S. government agencies' employees whose responsibility includes fisheries and wildlife management; or by county, city, or town animal control officers in the performance of their official duties related to public health concerns or problem wildlife.

##### **Rationale:**

Each new technological advancement that provides advantages to hunters must be evaluated for its ability to humanely and ethically aid in the harvest of game species in Virginia while abiding by fair chase principles and objectives of game species management plans. The use of drones, or unmanned aerial vehicles (UAVs), is an emerging fair chase hunting issue across the nation. Many western states have banned the use of UAVs for the purposes of hunting or aiding in hunting for all game species; each year, more eastern states enact restrictions on UAVs. The Department's management plans for deer, bear, turkey, and elk specifically call for recreational hunting methods that are sportsmanlike and ethical.

The use of drones by the public on wildlife management areas and other Department-owned lands have had impacts on management activities, recreational users, and wildlife. Given the growing popularity of drones, these impacts are expected to increase unless drones are prohibited on these areas.